

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow.

Claims 5, 7, 17, and 20-22 are amended presently. Claims 12-16 are cancelled. New claims 24-28 are added.

Applicant requests that the examiner enter these amendments and new claims because no new matter has been added. Support for the amendments to claims 5, 7, 17, and 20 and for new claims 24-28 can be found in the specification at Paragraphs [0029] and [0031]. Further, claims 20-22 have been amended to address informalities therein.

With the foregoing amendments claims 1-11 and 17-28 are pending in this application.

Objection to the Drawings

The drawings are objected to as failing to comply with 37 CFR §1.84(p)(5) because they do not have include reference numbers. Responsive thereto, Applicant has submitted herewith replacement Figures 1-5. Such figures have the appropriate reference numbers and conform to, e.g., the “Brief Description of the Drawings”, as set forth in the specification. Applicant submits that the drawings are now in allowable form and requests that the objection thereto be withdrawn.

Objection to the Claims

Claims 12-16 and 20-22 are objected to as improperly setting forth “means” language, in the context of 35 USC §112, 6th paragraph. Accordingly, Applicant has cancelled claims 12-16, without prejudice, and has amended claims 20-22. Applicant submits that claims 20-22, as currently presented, are clear and definite and thus are in allowable form.

Rejection under 35 USC § 102(b)

Claims 1, 2, 4-17, and 20-22 are rejected under 35 USC §102(b) as being anticipated by Karow (US 6,230,893). Responsive thereto, Applicant has amended claims 5, 7, 17, and 20-22 and has cancelled claims 12-16, without prejudice. Applicant submits that pending claims 1, 2, 4-11, 17, and 20-22 are now in condition for allowance.

Claim 1 recites in part:

a slide card comprising ... at least one tray receiving area;
at least one pre-formed tray, attached to said tray receiving area,
configured to receive and hold at least one portable item;
an outer sleeve configured to receive said card and attached tray...
(Emphasis added.)

Claim 7, as amended, recites in part:

a slide card ... comprising at least a first panel and at least one tray
receiving area located on said first panel;
at least one pre-formed tray ... comprising at least one receiving
recess, a given said tray being attached to said card at said tray receiving
area; and,
an outer sleeve defining a void, comprising an open end configured
to permit said card and attached tray to translate in and out of said void.
(Emphasis added.)

Claim 20, as amended, recites in part:

providing a slide card comprising a base panel;
attaching a pre-formed tray comprising at least one receiving
recess to said base panel; ...
placing an item in said receiving recess;
providing an outer sleeve with an open end and adjacent void ...;
aligning said card with said open end; ...
inserting said card and tray fully into said void ... (Emphasis

added.)

Applicant submits that Karow, whether taken alone or in combination with any of the other cited references, fails to teach or suggest the subject matter set forth in amended claims 1, 7, and/or 20.

Karow discloses a two-piece package (e.g., Figs. 10, 11) that houses a unit dose product on an internal slide card within an outer paperboard shell. In particular, Karow defines an inner slide card blank 100 and an outer shell 50 (e.g., Column 4, lines 55-59). The Examiner contends that “conventional unit dose perforated areas 112” (e.g., Column 4, lines 1-14) constitute “at least one preformed tray” within the claimed context. However, such perforated areas 112 clearly are formed within the blank 100 (e.g., Figs. 6-8) and do not define “trays” distinct from the blank 100. That is, the perforated areas 112 do not constitute a “tray” element, within the claimed context. Accordingly, Karow does not disclose or suggest a slide card, a pre-formed tray, and an outer sleeve, as per claims 1, 7, and 20.

Further, claim 17, as amended, recites in part:

a second panel defined by said hinge and a spaced apart second edge;
a tray integral to said second panel;
at least one receiving recess located within said tray, configured to receive and hold an item ... (Emphasis added.)

Applicant submits that Karow, whether taken alone or in combination with any of the other cited references, fails to teach or suggest the subject matter set forth in amended claim 17.

Karow discloses a two-piece package (e.g., Figs. 10, 11) that houses a unit dose product on an internal slide card within an outer paperboard shell. In particular, Karow defines an inner slide card blank 100 and an outer shell 50 (e.g., Column 4, lines 55-59).

The Examiner contends that “conventional unit dose perforated areas 112” (e.g., Column 4, lines 1-14) constitute “at least one preformed tray” within the claimed context, while “conventional unit dose packaging holes 110” within side panel 102 (e.g., Column 4, lines 1-14) each constitute a respective “recess” within a corresponding perforated area 112. However, for one, such perforated areas 112 clearly are formed within the blank 100 (e.g., Figs. 6-8) and do not define “trays”, per se. Secondly, the packaging holes 110 and the perforated areas 112, while both being formed in a blank 100, are located at distinct positions therein, as seen in, e.g., Fig. 6. As such, the packaging holes 110 do not comprise at least one perforated area 112, as essentially set forth by the Examiner. For the foregoing reasons, Applicant submits that the subject matter of claim 17 is neither taught nor suggested by Karow, whether taken alone or in combination with any other cited reference.

Accordingly, Applicant submits that claims 1, 7, 17, and 20, as well as those claims depending therefrom, are now in condition for allowance, the allowance of which is hereby respectfully requested.

Rejection under 35 USC § 103(a)

Claims 3, 18, and 19 are rejected under 35 USC §103(a) as being unpatentable over Karow (US ‘893). However, claim 3 depends from allowable claim 1, while claims 18 and 19 depend from allowable claim 17. For at least that reason, claims 3, 18, and 19 should also be found allowable, the allowance of which is hereby respectfully requested.

New claims

Claims 24 and 25 have been added hereby. As set forth above, support for such claims may be found, e.g., in Paragraph [0031]. Further, in addition to depending from allowable claim 1, Applicant submits that such claims set forth further features not disclosed or suggested by the prior art of record. Accordingly, Applicant submits that claims 24 and 25 are now in condition for allowance.

New claims 26 and 27 each recite, in part, that “a given said receiving recess is configured to receive and secure at least one portable item therein.” Meanwhile, new claim 28 recites in part, that “a given said receiving recess is configured to receive and secure an item.” Applicant submits that none of the prior art, including Karow, taken alone or in combination, teaches or suggests such subject matter.

Karow discloses a two-piece package (e.g., Figs. 10, 11) that houses a unit dose product on an internal slide card within an outer paperboard shell. The Examiner contends that “conventional unit dose packaging holes 110” within side panel 102 (e.g., Column 4, lines 1-14) each constitute a respective “recess” within the claimed context. However, such packaging holes 110 are not specifically “configured to receive and secure” an item (e.g., a unit dose). Instead, a given unit dose 122 is mounted adjacent to a panel 104 and then simply extends through a given packaging hole 110.

As such, while a given unit dose 122 may indeed be “trapped in” a given hole 110, as per Column 4, lines 11-14, it is only retained in that area because of its mounting relative to a given panel 104. That is, there is nothing that the given hole 110 does that actively “traps” and/or “secures” a given unit dose 122 therein. For example, as seen from Fig. 7, a given unit dose 122 is much smaller than a corresponding packaging hole 110, so no sort of retention-promoting “force fit” could exist therebetween, nor is any other hole-related retention mechanism disclosed or suggested. Thus, Applicant submits that new claims 26-28 are neither taught nor suggested by Karow, whether taken alone or in combination with any of the other cited references.

Thus, Applicant submits that new claims 26-28 are in condition for allowance, the allowance of which is hereby respectfully requested.

Conclusion

Applicants believe that the present application is in condition for allowance. Favorable consideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a

telephone interview would advance the prosecution of the present application.

If any fees are due in connection with the filing of this Amendment, please charge the fees to 132512. If a fee is required for an extension of time under CFR § 1.136 that is not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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